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Attorneys for Plaintiffs JEWS FOR JESUS, INC., and MR. ROBERT WERTHEIM

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

JEWS FOR JESUS, INC.,
a California non-profit corporation,
MR. ROBERT WERTHEIM,
as an individual
and as an employee of
JEWS FOR JESUS, INC.,
Plaintiffs,
vs.
CITY COLLEGE OF
SAN FRANCISCO, and
CHARLTON FOTCH, as an
individual,
Defendants.

Case No: CV 08-03876 MHP

**STIPULATION FOR ENTRY OF
ORDER EXTENDING TIME TO FILE
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES AND COSTS AND
PLAINTIFFS' BILL OF COSTS**

Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and
Costs and Plaintiffs' Bill of Costs - Page 1

1 COME NOW the parties, Plaintiffs, JEWS FOR JESUS, INC., and MR. ROBERT
2 WERTHEIM (hereinafter "Plaintiffs"), and Defendants SAN FRANCISCO COMMUNITY
3 COLLEGE DISTRICT a/k/a CITY COLLEGE OF SAN FRANCISCO, and CHARLTON
4 FOTCH (hereinafter "Defendants"), by and through their undersigned counsel, pursuant to Local
5 Rule 6-2, and file the parties' Stipulation for Entry of Order Extending Time to File Plaintiffs'
6 Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs.

7 The parties have executed a Settlement Agreement to resolve Plaintiffs' attorneys' fees
8 and costs and request a brief extension of time to negotiate the remittance of funds. Pursuant to
9 Local Rule 6-2, the parties respectfully request this Court to enter an Order granting this
10 Stipulation and extend the deadline for Plaintiffs' Motion for Attorneys' Fees and Costs and
11 Plaintiffs' Bill of Costs until Thursday, June 18, 2009.

12 **WHEREFORE**, the parties respectfully request this Court to grant the parties'
13 Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and
14 Costs and Plaintiffs' Bill of Costs until Thursday, June 18, 2009. Each party reserves all rights
15 relative to any Motion for Attorneys' Fees and Costs that may be filed, if necessary.
16

17 **MEMORANDUM OF LAW**

18 Pursuant to this Court's Order (DE. # 56) entered on April 28, 2009, the deadline for
19 Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs is June 7, 2009.
20 The time to file Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs has
21 not expired.

22 The parties have executed a Settlement Agreement to resolve Plaintiffs' attorneys' fees
23 and costs and request a brief extension of time to negotiate the remittance of funds. Pursuant to
24 Local Rule 6-2, the parties respectfully request this Court to enter an Order granting this
25 Stipulation and extend the deadline for Plaintiffs' Motion for Attorneys' Fees and Costs and
26 Plaintiffs' Bill of Costs until Thursday, June 18, 2009.
27
28

Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and
Costs and Plaintiffs' Bill of Costs - Page 2

1 **WHEREFORE**, the parties respectfully request this Court to grant the parties'
2 Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and
3 Costs and Plaintiffs' Bill of Costs until Thursday, June 18, 2009, and grant any other relief this
4 Court believes is equitable and just.

5 DATED: June 1, 2009

6 Respectfully submitted,

7

8 **Attorney for Plaintiffs:**

9 s/Frederick H. Nelson
10 Frederick H. Nelson, Esq.
11 Florida Bar No. 0990523

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19 **Attorney for Defendants:**

20 s/Louis A. Leone
21 Louis A. Leone, Esq.
22 (CSB # 099874)
23 **Stubbs & Leone**
24 2175 N. California Blvd., Suite 900
25 Walnut Creek, CA 94596
26 Telephone (925) 974-8600
27 Email: lleone@stubbssleone.com

28 Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and

Costs and Plaintiffs' Bill of Costs - Page 3

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of June 2009, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I further certify that I either mailed the foregoing document and the Notice of Electronic Filing by first class mail to any non CM/ECF participants and/or the foregoing document was served via transmission of Notice of Electronic Filing generated by CM/ECF to any and all active CM/ECF participants.

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Kathleen Darmagnac, Esq.
Stubbs & Leone
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Louis A. Leone, Esq. (CSB # 099874)
Kathleen Darmagnac, Esq. (CSB # 150843)
Attorneys for Defendants

Respectfully submitted this 1st day of June 2009.

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Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and
Costs and Plaintiffs' Bill of Costs - Page 4

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as an individual
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Defendants.

Case No: CV 08-03876 MHP

**PLAINTIFFS' DECLARATION OF
FREDERICK H. NELSON
SUPPORTING STIPULATION FOR
ENTRY OF ORDER EXTENDING
TIME TO FILE PLAINTIFFS' MOTION
FOR ATTORNEYS' FEES AND COSTS
AND PLAINTIFFS' BILL OF COSTS**

Plaintiffs' Declaration of Frederick H. Nelson

Supporting Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for
Attorneys' Fees and Costs and Plaintiffs' Bill of Costs - Page 1

Case No: CV 08-03876 MHP Jews for Jesus, et al. v. City College of San Francisco

1 FREDERICK H. NELSON declares:

2 1. I am an attorney representing Plaintiffs in this action. The matters stated in this
3 Declaration are personally known to me. If called upon to testify under oath, I could and
4 would competently testify to the following facts.

5 2. Pursuant to Local Rule 6-2(a), Plaintiffs' counsel states:

6 a. The parties have executed a Settlement Agreement to resolve Plaintiffs' attorneys'
7 fees and costs and request a brief extension of time to negotiate the remittance of
8 funds.

9 b. On April 28, 2009, this Court entered an Order (DE. # 56), extending the deadline
10 for Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs
11 to June 7, 2009.

12 c. The requested extension of time will have no effect upon any Court scheduling.

13 3. On Friday, May 29, 2009, I submitted the parties' Stipulation for Entry of Order
14 Extending Time to File Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs'
15 Bill of Costs to Defendants' counsel. On June 1, 2009, Defendants' counsel respond with
16 approval to submit the Stipulation for Entry of Order Extending Time to File Plaintiffs'
17 Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs.

18 I declare under penalty of perjury under the laws of the State of California and Florida
19 and of the United States that the foregoing is true and correct, and that this Declaration is
20 executed this 1st day of June, 2009, at Clermont, Florida.

21 DATED: June 1, 2009

22 Respectfully submitted,

23 **AMERICAN LIBERTIES INSTITUTE**

24 s/Frederick H. Nelson
25 Frederick H. Nelson, Esq.
26 (Lead Trial Counsel)

Plaintiffs' Declaration of Frederick H. Nelson
Supporting Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for
Attorneys' Fees and Costs and Plaintiffs' Bill of Costs - Page 2

Case No: CV 08-03876 MHP Jews for Jesus, et al. v. City College of San Francisco

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I HEREBY CERTIFY that on this 1st day of June 2009, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system. I further certify that I either mailed the foregoing document and the Notice of Electronic Filing by first class mail to any non CM/ECF participants and/or the foregoing document was served via transmission of Notice of Electronic Filing generated by CM/ECF to any and all active CM/ECF participants.

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Kathleen Darmagnac, Esq. (CSB # 150843)
Attorneys for Defendants

Respectfully submitted this 1st day of June 2009.

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Plaintiffs' Declaration of Frederick H. Nelson

Supporting Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for
Attorneys' Fees and Costs and Plaintiffs' Bill of Costs - Page 3

Case No: CV 08-03876 MHP Jews for Jesus, et al. v. City College of San Francisco

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Case No: CV 08-03876 MHP

**[PROPOSED] ORDER GRANTING
STIPULATION FOR ENTRY OF
ORDER EXTENDING TIME TO FILE
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES AND COSTS AND
PLAINTIFFS' BILL OF COSTS**

[Proposed] Order Granting Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs - Page 1

MEMORANDUM AND ORDER

The Court, having read and considered the parties' Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs, finds that good cause exists to grant the Stipulation, and thereby orders as follows:

1. PURSUANT TO STIPULATION, IT IS SO ORDERED.
2. The deadline for Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs is extended until Thursday, June 18, 2009.

IT IS SO ORDERED.

Date: June 2 , 2009



[Proposed] Order Granting Stipulation for Entry of Order Extending Time to File Plaintiffs' Motion for Attorneys' Fees and Costs and Plaintiffs' Bill of Costs - Page 2